

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Henry Oliver	Team: Squad #13	CCRB Case #: 201902632	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 03/01/2019 4:00 PM	Location of Incident: 136-10 Latimer Place	Precinct: 109	18 Mo. SOL 9/1/2020	EO SOL 4/18/2021	
Date/Time CV Reported Wed, 03/13/2019 12:15 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 03/27/2019 11:11 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Kevin Martin	24921	941068	109 PCT
2. Officers			
3. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Richard Harris	21499	951809	109 PCT
2. POM Matthew Devine	21807	959597	109 PCT
3. DT3 Patrick Sullivan	5784	949704	NARCBQN

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Abuse: An officer frisked § 87(2)(b)	
B. An officer	Abuse: An officer searched § 87(2)(b)	
C. POM Kevin Martin	Abuse: Police Officer Kevin Martin searched the vehicle in which § 87(2)(b) was an occupant.	
D. Officers	Abuse: Officers searched the vehicle in which § 87(2)(b) was an occupant.	
E. An officer	Abuse: An officer seized § 87(2)(b)'s property.	

Case Summary

On March 13, 2019, § 87(2)(b) called IAB and filed this complaint. On March 27, 2019, the CCRB received the complaint via log #19-11142.

On March 28, 2019, § 87(2)(b) was called at the number provided by IAB, but the number was no longer in service. Between April 1, 2019 and April 8, 2019, four more calls were placed to the number. The number remained out of service and no voicemail messages could be left.

A search of CTS yielded one potential phone number for § 87(2)(b). Between March 28, 2019 and April 8, 2019, five calls were placed to the number, but there was never an answer and five voicemail messages were left.

A search of Lexis Nexis yielded one phone number for Donna Lee § 87(2)(b), an individual associated with § 87(2)(b)'s address. Between April 1, 2019 and April 10, 2019, five calls were placed to the number, however the calls were never answered and no voicemail messages could be left.

A CLEAR search yielded one potential phone number for § 87(2)(b). Between April 1, 2019 and April 10, 2019, five calls were placed to the number, however they each yielded a busy signal and no voicemail messages could be left.

A search of BADS provided no additional contact information for § 87(2)(b).

CLEAR search results, DMV search results, and § 87(2)(b)'s intake call audio with IAB confirmed § 87(2)(b)'s mailing address. Between April 1, 2019 and April 15, 2019, three unreturned letters were mailed to § 87(2)(b).

On April 8, 2019, a search of the NYC Department of Corrections' database revealed that § 87(2)(b) was incarcerated for an unrelated incident. A Video Teleconference (VTC) was scheduled for April 12, 2019, but on April 9, 2019, Dawn Peterson at VCBC called the CCRB and reported that § 87(2)(b) had been released.

On April 12, 2019, each number listed above was called once more, and for each number, no voicemail message could be left due to the numbers being busy or out of service.

On April 14, 2019, § 87(2)(b) called the CCRB and left a voicemail message where he provided a call back number. Between April 16, 2019 and April 22, 2019, the number was called three times. Three voicemail messages were left stating that if § 87(2)(b) did not call the CCRB, his case could be closed without a full investigation. On April 24, 2019, the number was called a fourth time and § 87(2)(b)'s sister answered, stated that the phone number was hers, and provided a new mobile number for § 87(2)(b).

Between April 24, 2019 and May 1, 2019, the number provided by § 87(2)(b)'s sister was called four times. On the fourth call, § 87(2)(b) answered and said he could not talk but would call back. That same day, § 87(2)(b) called the CCRB, confirmed his contact information, and provided a brief phone statement. § 87(2)(b) was scheduled for an interview at the CCRB on May 8, 2019. On May 6, 2018, a text message reminder was sent to § 87(2)(b) regarding his scheduled appointment. On May 8, 2019, § 87(2)(b) failed to appear for his scheduled appointment and did not call beforehand to cancel or reschedule. On May 9, 2019, a fourth unreturned letter was mailed to § 87(2)(b). Between May 9, 2019 and May 13, 2019, § 87(2)(b) was called twice more. One voicemail message was left, but no voicemail message could be left during the second call because § 87(2)(b)'s voicemail box was full.

On May 15, 2019, a search of the NYC Department of Correction's database and the NYS Department of Corrections and Community Supervision's database determined that § 87(2)(b) is not incarcerated.

Squad No.: _____

Investigator: _____

Signature	Print Title & Name	Date
-----------	--------------------	------

Squad Leader: _____

Signature	Print Title & Name	Date
-----------	--------------------	------

Reviewer: _____

Signature	Print Title & Name	Date
-----------	--------------------	------